REMARKS

This Application has been carefully reviewed in light of the Office Action mailed July 9, 2007. Claims 1-39 were pending in the Application. In the Office Action, Claims 1-39 were rejected. Claims 1-39 remain pending in the Application. Applicants respectfully request reconsideration and favorable action in this case.

In the Office Action, the following actions were taken or matters were raised:

SECTION 102 REJECTIONS

Claims 1-3, 5, 7, 10, 14, 16, 18, 19, 21, 23, 26, 30, 34 and 36 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication No. 2002/0029350 issued to Cooper et al. (hereinafter "*Cooper*"). Claims 1, 2, 3, 4, 6-9, 11, 14, 17, 19, 22-25, 27, 30-32, 34 and 37 were rejected under 35 USC §102(e) as being anticipated by U.S. Patent No. 7,185,199 issued to Balfanz et al. (hereinafter "*Balfanz*"). Applicant respectfully traverses these rejection(s).

Cooper Reference

Of the rejected claims, Claims 1, 14, 19 and 30 are independent. Applicants respectfully submit that each of independent Claims 1, 14, 19 and 30 are patentable over *Cooper*. For example, Claim 1 recites "a configuration module adapted to <u>automatically select a communication network configuration setting</u> for a device <u>based on the received biometric data</u>" (emphasis added). In the Office Action, the Examiner appears to rely on paragraphs 0075-0077 of *Cooper* as disclosing the limitations of Claim 1 (Office Action, pages 2 and 3). Applicants respectfully disagree.

Cooper appears to disclose that a positive digital identification of a user or individual can be obtained by verifying biometric data, such as a finger print, face recognition, eye/retina recognition, voice recognition, etc. (*Cooper*, paragraph 0075). Paragraph 0076 of *Cooper* appears to recite nothing more than a heading (i.e., "Biometrics"). Further, paragraph 0077 of *Cooper* appears to be limited to disclosing nothing more than different types of biometric techniques, and that biometric devices may be used within a virtual private network (VPN) (*Cooper*, paragraph 0076). For example, *Cooper* recites:

> It is possible to use biometric devices within the VPN. It is possible to absolutely identify a person on the VPN using certain biometrics techniques that exist today. Examples of biometrics techniques include retinal scanner (eye scanner); finger print scanner; thumb print scanner; . . . .

(*Cooper*, paragraph 0076). However, *Cooper* does not appear to disclose or even suggest, either in the portions of *Cooper* referred to by the Examiner or elsewhere in *Cooper*, "a configuration module adapted to <u>automatically select a communication network configuration setting</u> for a device <u>based on the received biometric data</u>" as recited by Claim 1 (emphasis added). To the contrary, biometric data appears to be used in *Cooper* solely for verifying a user's identity. Therefore, for at least this reason, Applicants respectfully submit that *Cooper* does not anticipate Claim 1.

Independent Claim 14 recites "means for receiving biometric data from a user" and "means for <u>automatically selecting a communication network configuration setting</u> for a device <u>based on the received biometric data</u>" (emphasis added). Independent Claim 19 recites "receiving biometric data from a user" and "<u>automatically selecting a communication network configuration setting</u> for a device <u>based on the received biometric data</u>" (emphasis added). Independent Claim 30 recites "a biometric sensor module adapted to receive biometric data associated with a user of a device" and "a configuration module adapted to <u>associate a communication network configuration setting</u> for the device <u>with the biometric data</u>" (emphasis added). At least for the reasons discussed above in connection with independent Claim 1, Applicants respectfully submit that independent Claims 14, 19 and 30 are also not anticipated by *Cooper*.

Claims 2, 3, 5, 7, 10, 16, 18, 21, 23, 26, 34 and 36 that depend respectively from independent Claims 1, 14, 19 and 30 are also not anticipated by *Cooper* at least because they incorporate the limitations of respective Claims 1, 14, 19 and 30 and also add additional elements that further distinguish *Cooper*. Therefore, Applicants respectfully request that the rejection of Claims 1-3, 5, 7, 10, 14, 16, 18, 19, 21, 23, 26, 30, 34 and 36 be withdrawn.

<u>*Balfanz* Reference</u>

Of the rejected claims, Claims 1, 14, 19 and 30 are independent. Applicants respectfully submit that each of independent Claims 1, 14, 19 and 30 are patentable over *Balfanz*. For

example, Claim 1 recites "a configuration module adapted to <u>automatically select a communication network configuration setting</u> for a device <u>based on the received biometric data</u>" (emphasis added).

Balfanz appears to disclose that a device can include biometric input that may be used to generate authentication information used to authenticate the identity of a user and/or to secure data in a memory (*Balfanz*, column 1, lines 60-67). For example, *Balfanz* appears to disclose that the biometric input may be used to protect sensitive data stored in a device (*Balfanz*, column 5, lines 57-64). *Balfanz* also appears to disclose creating a group having members where members within a group are able to communicate with each other, but a non-member is not able to participate in that communication, by using member authentication and/or encryption (*Balfanz*, column 2, lines 60-65). *Balfanz* appears to disclose that the biometric input may be used to generate keys that are used in group communications by members of the group (*Balfanz*, column 5, lines 60-67, column 6, lines 25-35). For example, *Balfanz* appears to disclose that communications may be authenticated and encrypted using cryptographic credential protocols that can support groups such as shared secret keys, digital certificates, identity-based encryption, identity-based signatures, etc. (*Balfanz*, column 6, lines 25-34). Thus, *Balfanz* appears to disclose using biometric input <u>for identification purposes</u> to ensure that only members of a particular group may communicate with each other. Thus, Applicants respectfully submit that *Balfanz* does not disclose or even suggest automatically selecting a "<u>network configuration setting</u>" for a device based on biometric data as recited by Claim 1 (emphasis added). To the contrary, the biometric input in the *Balfanz* system appears to be used in a manner that is network-independent. Therefore, for at least this reason, Applicants respectfully submit that *Balfanz* does not anticipate Claim 1.

Independent Claim 14 recites "means for receiving biometric data from a user" and "means for <u>automatically selecting a communication network configuration setting</u> for a device <u>based on the received biometric data</u>" (emphasis added). Independent Claim 19 recites "receiving biometric data from a user" and "<u>automatically selecting a communication network configuration setting</u> for a device <u>based on the received biometric data</u>" (emphasis added). Independent Claim 30 recites "a biometric sensor module adapted to receive biometric data associated with a user of a device" and "a configuration module adapted to <u>associate a communication network configuration setting</u> for the device <u>with the biometric data</u>" (emphasis

added). At least for the reasons discussed above in connection with independent Claim 1, Applicants respectfully submit that independent Claims 14, 19 and 30 are also not anticipated by *Balfanz*.

Claims 2, 3, 4, 6-9, 11, 17, 22-25, 27, 31, 32, 34 and 37 that depend respectively from independent Claims 1, 14, 19 and 300 are also not anticipated by *Balfanz* at least because they incorporate the limitations of respective Claims 1, 14, 19 and 30 and also add additional elements that further distinguish *Cooper*. Therefore, Applicants respectfully request that the rejection of Claims 1, 2, 3, 4, 6-9, 11, 14, 17, 19, 22-25, 27, 30-32, 34 and 37 be withdrawn.

SECTION 103 REJECTIONS

Claims 5, 15, 16, 20 and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Balfanz* in view of DE 198 37 642 issued to Raaf (hereinafter "*Raaf*"). Claims 33-35 were rejected under 35 USC §103(a) as being unpatentable over *Balfanz* in view of *Raaf* and in further view of U.S. Patent No. 5,987,336 issued to Sudo (hereinafter "*Sudo*"). Claims 12, 13, 28, 29, 38 and 39 were rejected under 35 USC §103(a) as being unpatentable over *Balfanz* in view of U.S. Patent Publication No. 2004/0151353 issued to Topping (hereinafter "*Topping*"). Applicant respectfully traverse these rejections.
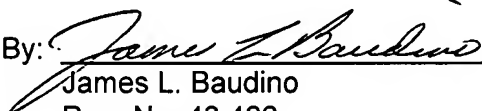
Claims 5, 12, 13, 15, 16, 20, 21, 28, 19, 33-35, 38 and 39 depend respectively from independent Claims 1, 14, 19 and 30. As discussed above, Claims 1, 14, 19 and 30 are patentable over *Balfanz*. Moreover, *Raaf*, *Sudo* and *Topping* do not appear to remedy at least the deficiencies of *Balfanz* discussed above. Therefore, Applicants respectfully submit that for at least these reasons, Claims 5, 12, 13, 15, 16, 20, 21, 28, 19, 33-35, 38 and 39 are patentable over the cited references..

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully request reconsideration and full allowance of all pending claims.

No fee is believed due with this Response. If, however, Applicant has overlooked the need for any fee due with this Response, the Commissioner is hereby authorized to charge any fees or credit any overpayment associated with this Response to Deposit Account No. 08-2025 of Hewlett-Packard Company.

Respectfully submitted,

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